

1 determine the law for themselves, that this meets the
2 protection of the Federal Constitution and it does not afford
3 due process.

4 I agree with Delegates Henderson and Sherbow who
5 earlier have said that they were of the opinion that this
6 provision, if it remains in our Constitution, will be
7 declared unconstitutional by the Supreme Court of the United
8 States.

9 Now, in addition to the substance, I would like
10 to point out to the delegates that our time is growing short.
11 As I say, we have had a number of votes on this. We still
12 have many important matters to consider. We are soon going
13 to reach a point where the more time we spend on one thing,
14 the less we will be able to spend on another. The lack of
15 progress we have made recently is becoming alarming, and I
16 think that those who are in favor of this should take defeat
17 with good grace, that we should end this question once and
18 for all by voting No on this question of reconsideration.

19 I will be glad to yield to Delegate Dorsey.

20 DELEGATE DORSEY: I would like to ask if the
21 Supreme Court hasn't recently refused to grant certiorari